IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WA.No. 1228 of 2007

AGAINST THE JUDGEMENT IN WPC.26031/2003 Dated 16/08/2006
.....

APPELLANT: PETITIONER IN THE WRIT PETITION.

M.K.JANAKI, AGED 68 YEARS,
W/O. LATE KRISHNANKUTTY, MUTHIRAMYALIL HOUSE,
NEAR S.N.D.P. HIGH SCHOOL, MUVATTUPUZHA - 686 661.
(FORMERLY FEMALE WARDER IN SUB JAIL, MUVATTUPUZHA)

BY ADV. SRI.M.R.JAYAPRASAD

RESPONDENTS: RESPONDENTS IN THE WRIT PETITION.
---

1. INSPECTOR GENEERAL OF PRISONS,
CENTRAL PRISON, POOJAPURA, THIRUVANANTHAPURAM.

2. STATE OF KERALA,
REPRESENTED BY CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.

3. PRINCIPAL SECRETARY TO GOVERNMENT,
HOME (B) DEPARTMENT, THIRUVANANTHAPURAM.

4. SUPERINTENDENT, SUB JAIL,
MUVATTUPUZHA.

BY GOVT PLEADER SRI SANDESH RAJ

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD
ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.S. RADHAKRISHNAN & ANTONY DOMINIC, JJ.

Writ Appeal No 1228 of 2007

Dated: 6 th June 2007

JUDGMENT

Radhakrishnan, J.

Ext. P5 is the impugned order passed by the Government on a direction given by this court in O.P. No 24765 of 2000. No reason has been stated by the Government for rejecting the request of the appellant and others for regularisation and consequential payment of pensionary benefits. Learned Government Pleader supported the government order on the basis of the reasons stated in the counter affidavit. Reasons must be reflected in the order itself and cannot be supplemented through the counter affidavit. In such circumstances, we set aside Ext. P5 order and direct the Government to reconsider the matter so far as the appellant is concerned on merits and pass orders within a period of four months from the date of receipt of a copy of this judgment. The writ appeal is disposed of as above.

Sd/-
K.S. RADHAKRISHNAN
Judge

Sd/-
ANTONY DOMINIC
Judge

06/06/2007en

[true copy]